

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SAINT-GOBAIN CERAMICS & PLASTICS,
INC.,

Plaintiff,

v.

COORSTEK, INC.,

Defendant.

Civil Action No.: 04-cv-40034 (FDS)

(PROPOSED) JOINT DISCOVERY PLAN

Pursuant to Rules 16(b), (c) and 26(f) of the Federal Rules of Civil Procedure and Local Rules 16.1(b) and 26.2, a telephone conference was held on November 4, 2004, attended by Emily A. Berger for Plaintiff and Kenneth S. Chang for Defendant.

The parties' Proposed Discovery Plan is as follows:

1. Rule 26(a) Disclosures.

Defendant's 26(a)(1) disclosures will be made within the time prescribed by the rules, or Plaintiff will assent to a two-week extension. Plaintiff's 26(a)(1) disclosures were made on November 4, 2004.

2. Discovery Subjects, Timing, and Procedures.

Discovery will be needed in this patent case on the subjects of infringement, validity, and enforceability of the patent-in-suit, claim interpretation, and damages.

As detailed in the table, all fact discovery will be completed by August 1, 2005, and this case should be ready for a pretrial conference on January 10, 2006. The following table presents these and other deadlines for discovery.

Amending Pleadings to Add Parties	May 1, 2005
Close of Fact Discovery	August 1, 2005
Expert Reports Served on Issues That a Party Bears the Burden of Proof	August 5, 2005
Expert Reports Served on Issues That a Party Does Not Bear the Burden of Proof	August 5, 2005
Rebuttal Expert Reports Served on Issues That a Party Bears the Burden of Proof	September 1, 2005
Rebuttal Expert Reports Served on Issues That a Party Does Not Bear the Burden of Proof	September 1, 2005
Initial Markman Briefs	September 15, 2005
Close of Expert Discovery	October 1, 2005
Responsive Markman Brief	October 15, 2005
Filing of Dispositive Motions	November 21, 2005
Final Pretrial Conference	January 10, 2006
Trial	January 31, 2006

3. Discovery Limitations.

Depositions should be limited to a total of 10 for each side, including those of experts. Particular depositions should be completed in seven hours. Where a single witness is proffered for a 30(b)(6) deposition, however, two (2) seven-hour business days will be allotted for completion of the deposition. Requests for production of documents and things should be limited to three sets of requests for each side. Interrogatories should be limited to 25 interrogatories, including subparts, for each side. There shall be no limit on the number of requests for admissions that may be made by either party.

4. Alternative Dispute Resolution

The parties shall attempt to resolve the case by alternative dispute resolution on or before January 31, 2005.

5. Bifurcation

Defendant will request bifurcation of liability and damages issues, and Plaintiff will oppose.

A Stipulated Protective Order should be entered pursuant to Rule 26(c).

Respectfully submitted,

by Plaintiff's counsel

/s/ Emily A. Berger

Matthew B. Lowrie (BBO No. 563,414)
Aaron W. Moore (BBO No. 638,076)
Emily A. Berger (BBO No. 650,841)
Lowrie, Lando & Anastasi, LLP
Riverfront Office Park
One Main Street, 11th Floor
Cambridge, MA 02142
Tel : 617-395-7000
Fax: 617-395-7070

by Defendant's counsel

/s/ Gregg Shapiro

Gregg Shapiro (BBO No. 642,069)
Choate, Hall & Stewart
53 State Street
Boston, MA 02109

David E. Sipiora
Kenneth S. Chang
Townsend and Townsend and Crew, LLP
1200 Seventeenth Street
Suite 2700
Denver, Colorado 80202-5827
Tel: 303-571-4000
Fax: 303-571-4321